

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ENCOMPASS INSURANCE COMPANY OF)	
MASSACHUSETTS,)	
)	
Plaintiff)	
V.)	
)	
JOSEPH D. GIAMPA, FREDERICK T.)	CASE NO. 05-11693 RCL
GIAMPA, ADVANCED SPINE CENTERS,)	
INC. D/B/A FIRST SPINE REHAB,)	
FUTURE MANAGEMENT CORPORATION,)	
FUTURE MANAGEMENT BUSINESS TRUST,)	
EDWARD KENNEDY, BRIAN J. CULLINEY,)	
D.C. AND JENNIFER MCCONNELL, D.C.,)	
)	
Defendants)	

MOTION TO WITHDRAW

Pursuant to Local Rule 83.5.2 and Massachusetts Supreme Judicial Court Rule 3:07: Rule 1.16, the undersigned counsel respectfully move for leave to withdraw as counsel for the defendant Edward Kennedy.

In support of this motion, the undersigned counsel state:

1. Defendant Edward Kennedy has retained new counsel.
2. Defendant Edward Kennedy's successor counsel has served an appearance for Mr. Kennedy in this matter, and said appearance has been filed herewith as exhibit "A".
3. Successor counsel, Matthew Conroy, Belesi & Conroy, is already involved in this matter, and is familiar with all motions presently pending in this matter.
4. Successor counsel, Matthew Conroy, Belesi & Conroy, is prepared to represent defendant Edward Kennedy in all scheduled hearings and conferences including the case

management conference scheduled for April 9, 2007.

5. No trial date has been set for this matter.
6. All other parties have assented to this motion.

WHEREFORE, for all of the reasons stated herein, the undersigned counsel respectfully requests that this Honorable Court allow this Motion to Withdraw as counsel of record for the defendant Edward Kennedy.

Respectfully submitted,

Date:

//Daniel Treger//
Jeffrey J. Phillips, P.C.
B.B.O. #398480
Daniel Treger, Esq.
B.B.O. #562147
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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of April, 2007, this document filed through the ECF system pursuant to Local Rule 5.4 will be sent electronically to counsel of record for all other parties and by first-class mail, postage prepaid, and Facsimile, upon the defendant Edward Kennedy.

//Daniel Treger//

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Action No. 1:05-cv-11693-RCL

EMCOMPASS INSURANCE COMPANY OF)
MASSACHUSETTS,)
Plaintiff)

vs.)

JOSEPH D. GIAMPA, FREDERICK T.)
GIAMPA, ADVANCED SPINE CENTERS,)
INC., d/b/a FIRST SPINE REHAB, FUTURE)
MANAGEMENT CORPORATION,)
EDWARD KENNEDY, BRIAN J. CULLINEY,)
D.C. and JENNIFER McCONNELL, D.C.)

NOTICE OF APPEARANCE

Please notice my appearance on behalf of the Defendant/Plaintiff in Counterclaim
Edward Kennedy.

/s/ Matthew J. Conroy
Matthew J. Conroy
BBO# 566928
BELESI & CONROY, P.C.
114 Waltham Street
Lexington, Massachusetts 02421
(781) 862-8060

Dated: April 09, 2007

CERTIFICATE OF SERVICE

I, Matthew J. Conroy, do hereby certify that a true and accurate copy of the foregoing was served upon all counsel by United States Mail first class, postage prepaid this 9th day of April 2007.

/s/ Matthew J. Conroy
Matthew J. Conroy

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on this day, April 9, 2007.

// Daniel Treger //